

**DECLARATION
Utility Application**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **METHODS FOR ELECTRONIC FLUORESCENT PERTURBATION FOR ANALYSIS AND ELECTRONIC PERTURBATION CATALYSIS FOR SYNTHESIS** the specification of which

(Check One)

☒
☐

is attached hereto OR
was filed on _____ as United States Application Serial No. 10/ _____
or PCT International Application No. _____ and was amended on _____ (if
applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Date of Filing	Priority Claimed	
			Yes	No

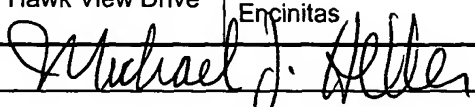
I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date

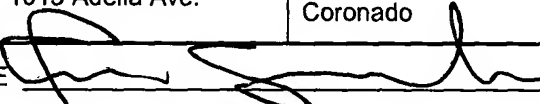
I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Number	Parent Filing Date	Status-Patented, Pending or Abandoned
09/496,864, which is a CON of		February 2, 2000	Pending
08/855,058, which is a CIP of		May 14, 1997	Patented (6,048,690)
08/534,454		September 27, 1995	Patented (5,849,486)

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

201	FULL NAME OF INVENTOR	FIRST Name Michael	MIDDLE Initial J.	LAST Name Heller	
	RESIDENCE & CITIZENSHIP	City Encinitas	State or Foreign Country CA		Country of Citizenship UNITED STATES
	POST OFFICE ADDRESS	1614 Hawk View Drive	City Encinitas	State or Country CA	Zip Code 92024
INVENTOR'S SIGNATURE					
			DATE 7/8/03		

202	FULL NAME OF INVENTOR	FIRST Name Eugene	MIDDLE Initial C.	LAST Name Tu	
	RESIDENCE & CITIZENSHIP	City San Diego	State or Foreign Country CA		Country of Citizenship UNITED STATES
	POST OFFICE ADDRESS	3527 Lark Street	City San Diego	State or Country CA	Zip Code 92103
INVENTOR'S SIGNATURE _____			DATE _____		

203	FULL NAME OF INVENTOR	FIRST Name Ronald	MIDDLE Initial G.	LAST Name Sosnowski	
	RESIDENCE & CITIZENSHIP	City Coronado	State or Foreign Country CA		Country of Citizenship UNITED STATES
	POST OFFICE ADDRESS	1013 Adella Ave.	City Coronado	State or Country CA	Zip Code 92118
INVENTOR'S SIGNATURE					
			DATE 7/7/03		

204	FULL NAME OF INVENTOR	FIRST Name James	MIDDLE Initial P.	LAST Name O'Connell	
	RESIDENCE & CITIZENSHIP	City Del Mar	State or Foreign Country CA		Country of Citizenship UNITED STATES
	POST OFFICE ADDRESS	682 Hoska Drive	City Del Mar	State or Country CA	92014
INVENTOR'S SIGNATURE _____			DATE _____		

U.S. Parent Application Number	PCT Parent Number	Parent Filing Date	Status-Patented, Pending or Abandoned
09/496,864, which is a CON of		February 2, 2000	Pending
08/855,058, which is a CIP of		May 14, 1997	Patented (6,048,690)
08/534,454		September 27, 1995	Patented (5,849,486)

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

201	FULL NAME OF INVENTOR	FIRST Name Michael	MIDDLE Initial J.	LAST Name Heller	
	RESIDENCE & CITIZENSHIP	City Encinitas	State or Foreign Country CA		Country of Citizenship UNITED STATES
	POST OFFICE ADDRESS	1614 Hawk View Drive	City Encinitas	State or Country CA	Zip Code 92024
INVENTOR'S SIGNATURE _____				DATE _____	

202	FULL NAME OF INVENTOR	FIRST Name Eugene	MIDDLE Initial C.	LAST Name Tu	
	RESIDENCE & CITIZENSHIP	City San Diego	State or Foreign Country CA		Country of Citizenship UNITED STATES
	POST OFFICE ADDRESS	3527 Lark Street	City San Diego	State or Country CA	Zip Code 92103
INVENTOR'S SIGNATURE _____				DATE _____	

203	FULL NAME OF INVENTOR	FIRST Name Ronald	MIDDLE Initial G.	LAST Name Sosnowski	
	RESIDENCE & CITIZENSHIP	City Coronado	State or Foreign Country CA		Country of Citizenship UNITED STATES
	POST OFFICE ADDRESS	1013 Adella Ave.	City Coronado	State or Country CA	Zip Code 92118
INVENTOR'S SIGNATURE _____				DATE _____	

204	FULL NAME OF INVENTOR	FIRST Name James	MIDDLE Initial P.	LAST Name O'Connell	
	RESIDENCE & CITIZENSHIP	City Del Mar	State or Foreign Country CA		Country of Citizenship UNITED STATES
	POST OFFICE ADDRESS	682 Hoska Drive	City Del Mar	State or Country CA	92014
INVENTOR'S SIGNATURE <u>James P. O'Connell</u>				DATE <u>July 9, 2003</u>	

U.S. Parent Application Number	PCT Parent Number	Parent Filing Date	Status-Patented, Pending or Abandoned
09/496,864, which is a CON of		February 2, 2000	Pending
08/855,058, which is a CIP of		May 14, 1997	Patented (6,048,690)
08/534,454		September 27, 1995	Patented (5,849,486)

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

201	FULL NAME OF INVENTOR	FIRST Name Michael	MIDDLE Initial J.	LAST Name Heller	
	RESIDENCE & CITIZENSHIP	City Encinitas	State or Foreign Country CA	Country of Citizenship UNITED STATES	
	POST OFFICE ADDRESS	1614 Hawk View Drive	City Encinitas	State or Country CA	Zip Code 92024
INVENTOR'S SIGNATURE _____ DATE _____					

202	FULL NAME OF INVENTOR	FIRST Name Eugene	MIDDLE Initial	LAST Name Tu	
	RESIDENCE & CITIZENSHIP	City San Diego	State or Foreign Country CA	Country of Citizenship UNITED STATES	
	POST OFFICE ADDRESS	3527 Lark Street	City San Diego	State or Country CA	Zip Code 92103
INVENTOR'S SIGNATURE _____ DATE <u>07-16-03</u>					

203	FULL NAME OF INVENTOR	FIRST Name Ronald	MIDDLE Initial G.	LAST Name Sosnowski	
	RESIDENCE & CITIZENSHIP	City Coronado	State or Foreign Country CA	Country of Citizenship UNITED STATES	
	POST OFFICE ADDRESS	1013 Adella Ave.	City Coronado	State or Country CA	Zip Code 92118
INVENTOR'S SIGNATURE _____ DATE _____					

204	FULL NAME OF INVENTOR	FIRST Name James	MIDDLE Initial P.	LAST Name O'Connell	
	RESIDENCE & CITIZENSHIP	City Del Mar	State or Foreign Country CA	Country of Citizenship UNITED STATES	
	POST OFFICE ADDRESS	682 Hoska Drive	City Del Mar	State or Country CA	92014
INVENTOR'S SIGNATURE _____ DATE _____					

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael J. Heller, et al.

Serial No.: 09/496,864

Filed: February 2, 2000

For: METHODS FOR ELECTRONIC
FLUORESCENT PERTURBATION
FOR SEQUENCE ANALYSIS

Group Art Unit: 1631

Examiner: Ardin Marschel

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST
AND REVOCATION OF PRIOR POWERS**

Box NON-FEE AMENDMENT
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Mary Ann Stretch, Director, Intellectual Property of Nanogen, Inc., as representative of the Assignee of record of the entire interest of the above application, hereby revoke all powers of attorney previously given and appoint the following attorneys and/or agents to prosecute and transact all business in the United States Patent and Trademark Office, and in countries other than the United States, and to do all things necessary or appropriate therefor before any competent International

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

12/10/02
Date of Deposit

Denise Doss


Name of Person Mailing Paper

Signature of Person Mailing Paper

cC-06-02 12:25PM FROM-NANOGEN

Patent US 105C1
Attorney Docket: 612404-344
(former L&L Ref: 250/139)

Authorities in connection with any international patent application(s) corresponding to the above-identified application, all of the registered practitioners identified by Customer Number 34263:

 34263 PATENT TRADEMARK OFFICE	O'MELVENY & MYERS LLP 114 Pacifica, Suite 100 Irvine, CA 92618 (949) 737-2900
--	---

Please send all correspondence to the attention of David Murphy, at the above Customer Number, and direct all telephone calls to David Murphy at 949-737-2900.

Assignee of interest: Nanogen, Inc.

Address: 10398 Pacific Center Court, San Diego, California, 92121

Recorded in PTO: Reel 8878, Frame 0419, on November 10, 1997 in parent case,
Application SN: 08/855,058

In conformance with 37 C.F.R. §3.73(b), I hereby certify that all documents in connection with the chain of title have been reviewed, and to the best of my knowledge, all right, title and interest is in the above-identified Assignee.

Dated: 12/6/02By: 

Mary Ann Stretch
Sr. Director, Intellectual Property
Nanogen, Inc.
10398 Pacific Center Court
San Diego, CA 92121